

PUBLIC WATER SYSTEM SUPERVISION PROGRAM FY 2005 & FY 2006

WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES

May 2004

This Guidance attempts to capture all of the tasks which make up a state's drinking water program, whether for Primacy purposes under the Safe Drinking Water Act or those activities which could be funded with the DWSRF set-aside funds.

This Guidance attempts to capture activities for two years for those states wishing to develop two-year workplans and PWSS applications reflecting a two-year budget.

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All reporting is considered to be via the semi-annual self-assessments, unless otherwise noted

PUBLIC WATER SYSTEM SUPERVISION PROGRAM GUIDANCE AND REPORTING CHECKLIST

Task #	Activity (Also notes statutory/regulatory citations)	Due Date / Reporting	Progress Reporting and Additional Comments
1.	New Focus Activities for FY '05-06 These are the activities which need special emphasis during the year due to their importance or due to a regulatory deadline. These are listed here to capture your attention. These activities should not reduce the focus placed on responding to acute health contaminants at all public water systems. <ul style="list-style-type: none"> • Continuation of Emergency Preparedness/Increased Security Activities with both state staff and public water suppliers, including responding to threats and emergencies. • New Rule Development and adoption or submission of extension requests. Implementation of new federal rules to the extent possible under state regulations and as per Extension Agreements. • State Specific Activities • Continuation of Operator Certification Programs • Continue to improve Quality Systems and documentation of these systems, including revisions to QMPs and/or QAPPs as necessary due to the adoption of new regulations. The reporting on these activities should be done in the corresponding section of this Checklist.		
2.	Activities Required to Maintain Primacy See elements of §§142.10, 142.12, 142.14, 142.15, and 142.16		
2.1	Data Management		
2.1.1	Participate in and follow-up to EPA Data Verification Audit findings. State will address major findings of the report and report to EPA on its activities to prevent future occurrences. State specific issues remaining from 2002 Report will be addressed in a. thru i. of this section.	Next DV to be held in 2005.	Addressed in individual sections below.
2.1	Data Management cont.		
2.1.1.a	Train staff to interpret and review monthly operating reports (MORs) for the SWTR. Report on progress.	Report on progress in semi-annual self	Completed.
2.1.1.b	Central Office should institute tracking system for radiological contaminants.		Completed.
2.1.1.c	Work w/ EPA to correct 1995-2002 data in SDWIS/Fed (total replace file vs DTF writer)		On-going.

	Mostly Phase II/V violation data errors. Give update on progress.		
2.1.1.d	Address all missing/incorrect data in SDWIS/Fed e.g., lat/long and source treatment flag status.		Completed. Missing locational data entered.
2.1.1.e	Describe the process/procedure for making changes involving SDWIS/State water system inventory as it relates to the SDWIS/State change form.		Philippi office now has capability to update SDWIS/State thus eliminating need for SDWIS/State change form.
2.1.1.f	Report on progress for training all District Offices in SDWIS 8.0 version.		On-going.
2.1.1.g	Make sure PWSIDs for water sources are consistent through inactivation and reactivations. Report on progress for correcting all data to reflect original PWSID assigned.		On-going.
2.1 Data Management cont.			
2.1.1.h	Conduct follow-up quarterly monitoring to determine if systems are reliably and consistently below the MCL.		On-going.
2.1.1.i	States must enforce LCR sampling of every 3 years. Report on status of getting systems back on schedule for sampling every 3 years.	Report on progress in semi-annual self assessments	On-going.
2.1.2	Maintain a data base management system that accurately tracks the inventory (including routine updates of system information), tracks water quality monitoring information, and calculates monitoring and reporting (M/R) and maximum contaminant level (MCL) violations for all rule implementation priorities. §142.14(c)	Report quarterly to EPA requesting assistance on status of any new programming	On-going.
2.1.3	Report all violations and inventory updates for all systems, and for all rule implementation priorities, to the Safe Drinking Water Information System (SDWIS)/Federal system (FED) Also report any problems in reporting to SDWIS/FED on time. §142.15(a) & (b)	Report quarterly (within 45 days of the end of each quarter)	On-going.
2.1 Data Management cont.			

2.1.4	SDWIS/FED reporting includes the following activities: a. Report all inventory updates with at least all of the mandatory reporting elements that determine grant eligibility. Refer to <i>Appendix A of the Consolidated Summary of State Reporting Requirements for the Safe Drinking Water Information System (SDWIS)</i> documentation, for the details on this reporting.		On-going.
2.1.5	b. Report all M/R, MCL, Public Notification (PN), and treatment technique violations for all rules including M/R violations for unregulated contaminant monitoring. This activity includes tracking monitoring results, and recording violations for all community water systems (CWS), non-transient non-community water systems (NTNCWS), and transient non-community water systems (TNCWS). WV DHHR should pay particular attention to the Public Notices for non-MCL and TT violations.	Report quarterly (within 45 days of the end of each quarter)	
2.1 Data Management cont.			
2.1.6	c. Report all formal enforcement actions and successfully link them to all appropriate violations. d. Report all variances and exemptions e. Report all milestone information required under the regulations. f. Report all required SWTR data (e.g., treatment		Item c: On-going. Item d: N/A Item e: On-going. Item f: On-going.

	codes for all surface water, purchased surface water, GUDI and purchased GUDI sources, seller's public water system identification (PWSID) number for purchased surface water and purchased GUDI sources, filtration reason codes, etc.)		<p>For 2.1.7: On-going.</p> <p><u>For 2.1.8:</u> On-going.</p>
2.1.7	g. Report compliance achieved, identify and correct erroneous data, and submit deactivation data to SDWIS/FED for all applicable systems, especially Significant Non-compliers (SNCs).		
2.1.8	Plan for and make system programming changes to meet any changes to the reporting requirements that will be effective in FY 2005 or early FY 2006. (Appendix A of Document EPA-812-B-95-001 summarizes all of the current reporting requirements.) Specifically, plan for new regulation reporting requirements in sufficient time to meet reporting deadlines of these new rules. Also see Implementation Guidances for each new rule for details on data management/data reporting requirements. §142.15	Report quarterly	
2.1.9	Verify and ensure the accuracy of SDWIS/FED data when SDWIS printouts are made available to the State.	As requested	On-going.
2.1.10	LCR - Ensure that 90 th percentile lead level levels for each system serving a population over 3,300 in addition to action level exceedences		On-going.
2.1.11	LCR unaddressed violations - Update data on PWSs that received a violation for monitoring or missed milestones and do not have a follow-up	Report quarterly, (within 45 days from the end of	On-going.

	action reported for compliance achieved (i.e., SOX) that is linked to the violation. §142.16(c)(4)	each quarter	
2.1.12	Report Public Notice (PN) violations on a routine basis where appropriate. §142.15(a)(1)		On-going.
2.1.13	<p>For new rules, (M/DBP, LCRMR, FBRR, IESWTR, Rads, Arsenic, and LT1) enter data into SDWIS. States not using SDWIS-State must develop the capability of reporting to SDWIS as per Extension/Implementation Agreements. For new rules which are in effect, but the state does not have Primacy, report information for EPA, Region III to make compliance determinations (see specific reporting needs in applicable Extension or Letter Agreements).</p> <p>Report on status of installation of SDWIS 8.0 version. If not installed, explain how data is being tracked for new rules and when new version is expected to be installed.</p>	<p>As new modules become available.</p> <p>Non-SDWIS data should be reported by the dates specified in Agreements.</p>	SDWIS/State, Version 8.0 has been installed since 2003 and all tools are used for tracking and compliance.
2.1.13	Lead and Copper Rule Minor Revisions (LCRMR) - SDWIS-FED will <u>no</u> longer accept data which does not meet the new LCRMR reporting requirements. States not using SDWIS-State must report data in accordance with new requirements. States using SDWIS-State will report in accordance with revised modules.	Report in accordance with revised modules.	State is reporting in accordance with new revisions.
2.2	Compliance and Enforcement including Implementation of all PWSS Program Activities required by 40 C.F.R. §§142.15 & 142.16. Activities are listed by general first and then by National Primary Drinking Water Regulation (NPDWR).		
2.2.1	Complete Annual Compliance Report by July 1 st ,	July 1 st	Annual Compliance Report last submitted July 1, 2003.

	for previous calendar year. SDWA Section 1414(c)		
2.2.2	<p>Promote compliance with the regulations. Notifying all systems of regulatory requirements and responding to questions (this includes CWSs, NTNCWSs and TNCWSs), taking enforcement action against recalcitrant or noncompliant systems, providing technical assistance, and issuing waivers, variances and exemptions, where appropriate.</p> <p>Give detailed comments <u>if possible</u> on what specific actions have been taken to promote compliance.</p>	Report Semi-annually	Send letters, post information on the State website, and send newsletters advising water systems and operators of new rules.
2.2.3	Maintain records of pertinent State decisions (e.g., filtration decisions, waiver determinations, public notification provisions). Report to system files all responses to M/R and MCL violations in accordance with escalation procedures as negotiated in the State Compliance Strategy. Report to system files all documentation of informal enforcement activities. §142.14	On-Going	On-going.
2.2.4	Provide responses on SNC systems, on a quarterly basis using the standard format supplied with quarterly lists, to the SDWA Branch. Work with EPA SNC Coordinator to determine why problems are occurring and take steps to correct. Stay on February 15 th schedule.	Feb. 15, 2005 and Feb. 15, 2006	On-going.
2.2.5 Government Performance and Results Act (GPRA) State Reporting Measures and Key PWSS Program Performance			

Indicators GPRA Measures: Reporting is met by reporting the required quarterly SDWIS compliance data or through other reporting already done under other initiatives such as the Source Water Matrix or Wellhead Protection Program reports. For information not already reported to EPA, reporting frequency is semi-annual . The following are the GPRA State Core Performance Measures and Associated Reporting Requirements:			
A	EPA Region III PWSS Key Performance measures - FY'02 will serve as the baseline for the FY'05-'06 time frame. See Table in PWSS Guidance, Appendix B.	NA	See below.
2.2.6	<p>SWTR: Implement the entire rule Complete GUDI determinations for all CWS and all NCWS as per negotiated deadlines since regulatory GUDI determination deadlines have past: CWS - June 29, 1994; NCWS - June 29, 1999</p> <p>Report in semi-annual self-assessment the number of filtration evaluations and the number of GUDI assessments completed and expected timeframe for completion of remainder. Source type changes should be recorded in SDWIS. Deadlines to install filtration must be met.</p> <p>Give status of %s for active/seasonal systems and unresponsive/orphan systems.</p>	<p>Semi-annual self-assessment; SDWIS</p> <p>TO DO: for states with new schedules for completion, edit the dates to reflect what's in the schedule</p>	<p>As of 3-31-04 these systems have been classified: 94.4% CWS 89.9% NCNT 84.7% NCT</p> <p><u>Designated orphan/unresponsive:</u> 8 CWS 1 NCNT 10 NCT have requested to conduct additional testing before classifying.</p> <p>Note: Remaining PWS are testing, conducting additional testing or have new supply intakes. These systems are being contacted via telephone and in writing. Some systems have responded. Dist. Engineers are to follow-up to assist PWS in the sampling.</p>
2.2.7	TCR: Implement the entire rule for all system types. Implementation includes: enforcing	Semi-annual self-asses	No implementation issues or problems. Sample site plans are reviewed for need of modifications

	<p>routine and repeat monitoring, making compliance determinations, conducting sanitary surveys, and reviewing sample site plans. Enforce additional routine monitoring the month following a positive sample and PN requirements.</p> <p>Report the number of sample site plans reviewed <u>if possible</u>, and discuss any major TCR implementation issues or problems.</p>	sment	<p>when a Sanitary Survey is performed. Any modifications are reviewed and approved by dist. offices. Failure to submit or to follow the plan is reported to Central Office for possible issuance of a violation.</p>
2.2.8	<p>Phase II and V Rule for nitrates and nitrites: Implement the entire rule for all system types. Implementation includes: enforcing initial and follow up monitoring, making compliance determinations, and following up on violations</p>	Semi-annual self-assessment	On-going.
2.2.9	<p>Phase II and V Rule for Chronic Contaminants: Implementation includes making compliance determinations for monitoring that has been conducted, enforcing follow-up monitoring where results are greater than the MCL, and follow-up on MCL violations. States are also encouraged to make development and implementation of waiver programs a priority implementation activity. Enforce follow-up monitoring requirements where results are less than the trigger level. Enforce initial monitoring, and enforce follow-up</p>		On-going.

	monitoring where results are between the trigger level and the MCL.		
2.2.10	Lead and Copper Rule (LCR) including the Minor Revisions for all PWSs: Implement the entire rule for all systems. Enforce routine water quality parameter monitoring and additional lead and copper monitoring. Enforce public education for all systems. Report action level exceedances and milestone information to SDWIS.	Semi-annual self-assessment	On-going.
2.2.11	Stage I DBP: Continue implementation of the Stage 1 DBP. Ensure that systems update their monitoring plan if they change any of their sampling locations or dates.		On-going.
2.2.12	IESWTR: Continue implementation of IESWTR. Provide a list of systems that have had a sanitary survey completed during the previous year and an annual evaluation of your state's program for conducting sanitary surveys (§142.15(c)(5)).		On-going. Number of Sanitary Surveys Performed Year to Date (Class I) CWS (C) 67 NTNCWS (P) 12 TNCWS (N) <u>10</u> 89
2.2.13	Rads: Implement the radionuclides rule. Work with PWS's, as needed, to ensure they are aware of their regulatory requirements. Work with the appropriate state agency to identify systems designated as "contaminated" or "vulnerable to contamination" by nuclear effluents and monitor accordingly.		On-going.

2.2.14	Arsenic: Implement the Arsenic rule. Work with PWS's, as needed, to ensure they are aware of their regulatory requirements.		Rule does not go into effect until 2006.
2.2.15	FBRR: Review plant recycling information during sanitary surveys.	Semi-annual self-assessment	On-going.
2.2.16	LT1: Inform the affected systems of their requirements under the rule and report any violations to SDWIS/FED.		On-going.
2.2.17	All Other Currently Regulated Chemicals: Take enforcement actions for all arsenic MCL and M/R violations. Enforce total trihalomethane monitoring and MCL violations. Enforce current radionuclide standards. Enforce monitoring for other contaminants. Enforce against systems with other MCL violations		On-going.
2.2.18	PN Rule: Include public notification requirements in compliance assistance and enforcement actions that are taken on MCL, treatment technique, and M/R violations following all aspects of Revised PN Rule effective May 2002.		On-going.
2.2.19	Revise the State Compliance Strategy to reflect changes in the State and Federal regulations, including revised Penalty Authorities, any new or revised State MCLs, any new SNC definitions, State procedural or organizational changes, and State/U.S. EPA Enforcement Agreements. The revisions should also include updated timely and appropriate flow charts for TCR, total trihalomethane, Radionuclides, Phase 2 and 5,	As needed; Semi-annual self assessment	On-going.

	SWTR, Lead Ban, and LCR violations, the CCR rule, IESWTR and DDBP rule, LCRM, Arsenic, FBRR, LT1, and other new rules when available. The charts should trace the State's response from identification of a violation through the State's most formal enforcement tools to final compliance. §142.11		
2.2.20	Screen data submitted by public water systems for evidence of data falsification, and take follow-up enforcement action as appropriate. If possible, report on follow-up enforcement actions taken and status.	Semi-annual self assessment	On-going.
2.2.21	Certify that the responsible State agency (if not the drinking water program) continues to enforce the Lead Ban , through inspections and State enforcement actions. §142 If possible, report on inspections and enforcement actions taken to enforce Lead Ban		On-going.
2.2.22	Maintain records of tests, measurements, analyses, decisions, and determinations performed on each PWS to determine compliance with application drinking water regulations; sanitary surveys, enforcement actions, vulnerability determinations, Public Notice, etc.; make records available to the Regional Administrator upon request. §142.14	As requested	On-going.
2.2.23	Consumer Confidence Report: Report on implementation of CCR Rule (§142.15, §142.16(f)) States with Primacy for the CCR rule must report	Report to SDWIS by Nov. 15th	The State has primacy and is currently complying with the reporting requirements.

	<p>violations and enforcement actions directly to SDWIS by 11/15.</p> <p>States without Primacy: Report in August CWSs that sent out CCRs and those that did not in an easy to read format, EPA will generate violations for SDWIS. Report similar data for the certifications.</p>		
2.2.18a	<p>Assist with data analysis of TTHM levels to make correlations to the increased health protection association with lower MCL.</p> <p>Provide annual average (or running annual average or both) TTHM data to Drinking Water Branch each February for prior year's data for every surface water or GUDI water system serving at least 10,000 people.</p>	<p>February 28, 2003 for calendar year 2002 data; by February 28, 2004 for calendar year 2003 data; and by February 28, 2005 for calendar year 2004 data.</p>	<p>Submitted with quarterly data report with SDWIS/State migration to SDWIS/Fed.</p>
2.2.19	<p>Continue work on the activities spelled out in the mutually agreed upon Implementation Agreement for LT1. For small system (<10,000) compliance with profiling, report # and % of systems that did not comply.</p>	<p>Report by 11/15/03. Following report due 05/15/04.</p>	<p>Profiling requirement is planned to be reviewed in conjunction with annual inspections or sanitary surveys.</p>
2.2.23	<p>Consider this a place holder for the Office of Enforcement and Compliance (OECA) reporting measures. [As far as we know, there are no additional reporting requirements for the States. OECA primarily looks at SNCs, SNCs which have returned to compliance, and those SNCs which are exceptions. OECA Priorities include implementation and enforcement of microbial rules and Federal enforcement of new rules]</p>		
2.3 Regulation Development and Authority			

Adopt all rules on schedule as required by §142.12 and any Special Primacy requirements found at §142.16. States are strongly encouraged to adopt rules within the two years deadline to avoid a crunch in future years. Complete all primacy application packages as specified in any applicable memorandum of agreement or extension agreement. Report on any major implementation issues or problems. Apply for extension of time to adopt new regulations within two years of promulgation. Region III prefers **at least a 3 month lead time** to complete Extension Agreements by this deadline. Also see EPA Region III's Binders, mailed to each State as the Implementation Guidances become final (these contain the primacy revisions to specific rules and new primacy requirements to be added as per SDWA 1996).

NOTE: All rule effective dates, primacy revision package/extension request dues dates are included in Appendix E of the PWSS Guidance Document.

2.3.1	Analytical Methods Rule Changes Revise the State rules so that they are as stringent as the analytical methods changes published on December 5, 1994, March 5, 1997, December 1, 1999, October 23, 2002 and October 29, 2002 in the Federal Register. §142.12	Withing 2 years of promulgation	Latest analytical methods rule changes were adopted by reference by the WV Legislature in 2004 session and will become effective July 1, 2004.
2.3.2	Maintain required statutory and regulatory authorities (those upon which primacy approval was based). Report on the status of any State reorganizations, and their effects on statutory or regulatory authorities, and on implementation. Report on any changes to statutory, regulatory or laboratory certification status of the State Primacy Agency. §142.12	Report changes or potential changes in semi-annual self-assessment.	No substantive changes since previous report.
2.3.3	Continue to implement activities under the Lead and Copper Rule (LCR) Minor Revisions Revise the State's implementation plan for the Lead and Copper rule, as necessary. §142.12 and §142.16(d)	Make revisions as needed.	On-going.

2.3.4	Prepare for and adopt Ground Water Rule (GWR) Submit Primacy Revision Application or Extension Request to EPA by early 2006 based on estimate of 2004 final rule promulgation. §142.12 and §142.16		Final rule not published as of March 31, 2004.									
2.3.5	Prepare for Radon Rule . Submit Primacy Revision Request or request extension in accordance with final rule promulgation. Submit Radon Rule MMM Letter of Intent, [90 days from final rule promulgation]; §142.12		Final rule not published as of March 31, 2004.									
2.3.6	Prepare for new regulations to be promulgated in 2004 and 2005 with State rule adoption due 2 years later: LT2/Stage 2 DBP, MTBE SMCL. §142.12 and §142.16	Within 2 years of promulgation	No new regulations promulgated as of March 31, 2004.									
2.4 Surveillance and Technical Assistance												
2.4.1	Maintain an adequate sanitary survey program. Document deficiencies found in the surveys and follow-up to correct these deficiencies within the State's authority. Please provide the number of CWSs, NTNCWSs, and NCWSs which are scheduled for sanitary surveys in FYs 2005 and 2006 in the State's workplan and provide an update on the number of surveys completed. Please report on any key survey deficiencies or issues at SNC systems.	Semi-annual self-assessment	Deficiencies observed during inspections are described in survey reports and systems' responses to deficiencies are tracked with follow-up contact to systems for assurance of implementation plans. Estimated No. Sanitary Surveys to be performed (Class I) <table><tr><td></td><td><u>EPA Year 2004</u></td><td><u>EPA Year 2005</u></td></tr><tr><td>CWS(C)</td><td>128</td><td>110</td></tr><tr><td>NTNCWS (P)</td><td>7</td><td>21</td></tr></table>		<u>EPA Year 2004</u>	<u>EPA Year 2005</u>	CWS(C)	128	110	NTNCWS (P)	7	21
	<u>EPA Year 2004</u>	<u>EPA Year 2005</u>										
CWS(C)	128	110										
NTNCWS (P)	7	21										

	<p>Report sanitary survey numbers and key survey deficiencies or issues in semi-annual self-assessment. §142.16</p>		<p style="text-align: right;">TNCWS (N) <u>12</u> _____ <u>9</u> 147 140</p> <p>Number of Sanitary Surveys Performed Year to Date (Class I) CWS (C) 67 NTNCWS (P) 12 TNCWS (N) <u>10</u> 89</p>
2.4.2	<p>Maintain adequate plan and specification review program to assure that design and construction of new and modified drinking water system facilities will be capable of complying with the drinking water regulations.</p> <p>Please provide an update on the number of reviews completed, or key problem areas in semi-annual self-assessment. §142.10</p>		<p>From October 1, 2003 thru March 31, 2004, 181 water project plans were reviewed and 136 Permits to Construct were issued.</p>
2.4.3	<p>Maintain the capability to respond to emergency circumstances and to ensure provision of potable drinking water under emergency circumstances.</p> <p>Assist water systems with vulnerability assessments and new security concerns. Please report on any ongoing emergency issues in self-assessment. §142.10</p>	Semi-annual self-assessment	<p>Technical representatives have received in-depth emergency response training in current emergency response procedures in the state emergency services command center. Field technical staff assisted water systems in damage assessments and recovery during the November flooding. The Agency is sponsoring training workshops to assist water systems in completing vulnerability assessments and security planning measures.</p>
2.4.4	<p>Maintain documentation for and implement a Quality Management System which includes an</p>	Report on status of addressing	<p>Updated the QA/QC documents submitted to EPA July 2002. Awaiting EPA approval.</p>

	<p>adequate laboratory certification program. Update the State Quality Management Plan for the PWSS Program. The State PWSS Quality Management Plan (QMP) documents the Standard Operating Procedures (SOP) and QA/QC requirements for the laboratory and the PWSS quality assurance systems. The QMP will include management and organization regarding QA, descriptions of technical tools of QA for all program functions including: laboratory certification and SOPs; PWS compliance, inventory and monitoring data; personnel qualifications and training, and other information. This plan is mandatory for all PWSS grant recipients and must be updated annually or as needed.</p> <p>Submit additional requested documentation for conditional approved plans to make QMPs approvable. 40 C.F.R. §30.54 and 31.45 and EPA Guidance–EPA QA/R-2</p>	EPA's QA recommendations.	
2.4.5	<p>Develop, implement and update documentation for Quality Assurance Project Plans (QAPP) for collection, transport and analysis of samples intended for developing information or data to be used for implementation of the PWSS Program. QAPPs are to follow EPA guidance on plan development. QAPPs are not necessary if State PWSS Program staff do not collect any samples in the implementation of the PWSS program.</p>	Update annually	<p>State program staff do not collect samples in the implementation of the PWSS program. QA/QC document (which includes QAPP) submitted to EPA July 2002. Awaiting EPA approval.</p>

	<p>These plans must be updated as needed. 40 CFR §§30.54 and 31.45, EPA Guidance EPA QA/R-5.</p> <p>Review QAPPs of contractors.</p>		
2.4.6	<p>Establish and maintain a state program for the certification of laboratories conducting analytical measurements of drinking water; assure availability to the state of laboratory facilities certified and capable of performing analytical measurements of all contaminants.</p> <p>State Lab should complete PT sample studies and repeating of any analysis that were unacceptable in make-up studies.</p> <p>§142.10(b)(3) & (4) To the extent possible, place listing of labs on website.</p>		<p>On-going.</p> <p>Conducted by Office of Laboratory Services.</p>
2.4.7	<p>Unregulated Contaminant Monitoring Rule (UCMR) - Carry out responsibilities under the mutually agreed upon Partnership Agreement (PA). Specifically those activities occurring in FY2005 & 2006</p> <ul style="list-style-type: none"> - Provide sampling and reporting assistance to those water systems performing monitoring of List 1 and List 2 contaminants; - Ensure that each system's treatment plant location(s) as latitude and longitude is reported to SDWIS; (this is in addition to the street address) - Assist EPA in obtaining water system compliance through follow-up contact with those systems non-complying. EPA will provide a list of such systems. - Review monitoring data reported to SDWARS/UCMR. - Work with Community water systems to include 	<p>Report in semi-annual self assessment.</p> <p>Treatment plant lat/long must be reported to SDWIS prior to UCMR data being reported to NCOD.</p>	<p>Terms of current rule were completed December 31, 2003.</p>

	UCMR data in CCRs		
2.4.8 Training			
2.4.8.1	Leverage both PWSS and DWSRF grant set-aside funding to increase the amount of training made available to operators of public water systems. Training on regulations, treatment technologies (particularly small system treatment technologies) and public education should be stressed. Report on the type and numbers of training courses given.	Semi-annual self assessments	<p>Grant to the WV Rural Water Association (WVRWA) to provide oversight on training courses.</p> <p>2% technical assistance has been utilized through WVRWA via contract extension from November 2003 thru October 2004. WVRWA has provided training classes for operator continuing education hours.</p> <p>110.5 training hours have been completed from October 2003 thru March 2004 for continuing education.</p> <p>WVRWA has also provided four Class I operator training classes during this time period so that Class ID operators can become Class I operators prior to the June 30th deadline.</p>
2.4.8.2	Train State and local PWSS program staff on new and current regulations and water treatment technologies with a focus on small system treatment technology. EPA Region III will assist wherever possible.	Semi-annual self assessments	On-going.
2.5 Program Management			
2.5.1	Prepare preliminary FY 2005 and FY 2006 grant application(s) which addresses all applicable required grant elements, and submit all required grant forms and supporting documentation. 40 C.F.R. Part 31 & 35	July 1, 2005 (and July 1, 2006 if State does not elect to apply for a two year project and	FY 04 grant request was submitted by July 1, 2003.

		budget period. In this case, however, minor revisions and additional budget pages may still be needed.)	
2.5.2	Prepare and submit a final FY 2005 and FY 2006 grant application which addresses all Region III comments on the preliminary draft plan, including all budget documentation and supporting information. 40 C.F.R. Part 31 & 35. Consider two-year applications.	August 1, 2005 (and August 1, 2006 if State does not elect to apply for a two year project and budget period. In this case, however, minor revisions and additional budget pages may still be needed.)	Final FY 04 grant request was completed by August 1, 2003.
2.5.3	Prepare and submit a semi-annual self assessment which reports State progress in meeting State program plan commitments to the Region. Entails reporting on all activities as identified in the work plan including those performed by the recipient, by contractors and through interagency agreements. Self assessment shall include: a progress summary, justification for any outputs not	May 15 th and November 15 th	On-going. Reports submitted as required.

	<p>submitted in accordance with the agreed upon schedule, and a discussion of anticipated program problems in the upcoming quarter(s). The first status report should contain a listing of each milestone (output) and their schedule completion dates for all proposals.</p> <p>It is expected that this document will also serve as a reporting tool. 40 C.F.R. §31.40 and §142.15</p>		
2.5.4	Hiring status: include current organization chart, listing of vacancies associated with funding source (PWSS, SRF or state) and a status of filling each vacancy.	Semi-annual self assessments and as requested	See Attachment No. 2 "Organizational Chart"
2.5.5	All changes to the approved workplan must be discussed with the EPA State Program Manager prior to making the change in order to determine if this is a <i>significant program change</i> requiring an amendment or other written documentation for the grant award. 40 CFR Part 31 & 35	As needed	Changes will be presented to EPA Program Manager as necessary. No changes anticipated.
2.5.6	<p>Provide a Final Financial Status Report documenting FY 2004 and FY 2005 expenditures within 90 days of end of budget period. Program staff are strongly encouraged to work with state grants administrative staff to ensure that this occurs in a timely manner since it can effect carryover applications and awards. Report on steps taken to ensure this occurs.</p> <p>If State elects to apply for a two year budget and project period, FY 2004 FSR will be an interim submittal.</p> <p>40 C.F.R. Part 31</p>	<p>December 31, 2004 for FY 2004 expenditures;</p> <p>December 31, 2005 for FY 2005 expenditures.</p> <p>The FY 2004 FSR will be an interim FSR if State is on a two year budget and project period.</p>	<p>On-going.</p> <p>FSRs have been submitted to EPA.</p>
2.5.7	Maintain records as per §142.14		On-going.
3	<p>Activities Required to Receive Entire Drinking Water State Revolving Loan Fund (DWSRF) Program Allocation</p> <p><i>Note: Section 3 is included in this Generic PWSS Guidance for additional background information and to help describe the full breadth of the SDWA programs. If any state activity to meet requirements outlined here in Section 3 are funded under</i></p>		

	<p><i>the DWSRF set-aside funds, they should NOT appear in the PWSS Program grant workplan. See additional National and Regional Guidance for more details on DWSRF applications/workplans.</i></p> <p><i>The activities under Sections 3.0 General, 3.1 Capacity Development and 3.2 Operator Certification are required to receive the entire DWSRF Program Allocation. The activities under Section 3.3 Source Water Protection, are not required to receive DWSRF funds. However, if the State wishes to adopt alternative monitoring requirements, the State must have an approved source water protection program, and the State can use DWSRF funds to conduct source water assessments.</i></p>		
3.0	<p>General Provisions</p> <p>Prepare a plan that identifies the intended uses of the amounts available to the DWSRF Program annually. SDWA 1452(b)(1)</p>	Annual	An Intended Use Plan (IUP) is prepared annually which identifies the uses of DWSRF funds.
3.0.1	<p>Develop and publish a list of prioritized projects in the State that are eligible for funding. The State should develop an overall priority list, as well as a list of projects to be funded in the coming year. SDWA 1452(b)(3)(B) and page 9-11 of the February 28, 1997 final DWSRF Guidance</p>		A list of prioritized projects in the State that is eligible for funding is developed annually and included in the Intended Use Plan, which is advertised, and open for public comment. The projects are amended as necessary.
3.0.2	<p>Review all Significant Non-compliers and list of chronic non-compliers before providing a loan. SDWA 1452(a)(3)(C)</p> <p>Report, <u>if possible</u> on status of loans provided or will be provided.</p>	On-Going	During the preparation of the prioritized project listing for potential loan recipients, projects on the priority list are compared to the list of chronic non-compliers and significant non-compliers.
3.0.3	<p>Prepare and submit a report to U.S. EPA every 2 years on the State's activities in administering the DWSRF Program, including the findings of the most recent annual audits of the fund conducted by the State.</p>	Every 2 years	The annual report was submitted in November 2003. Audits of the DWSRF Construction Fund for SFY 03 were submitted as part of the annual report. The audit for SFY 03 DWSRF set-aside funds was issued in October 2003. Both audits had no findings.

	SDWA 1452(g)(4), and page 45 of the February 28, 1997 final DWSRF Guidelines		
3.1Capacity Development			
<u>Background Notes:</u>			
The State had until September 30, 1999 to obtain legal authority or other means to ensure that all new CWSs and new NTNCWSs that commence operation after October 1, 1999, demonstrate technical, managerial, and financial, (TMF) capacity with respect to the NPDWRs. Twenty percent of a State’s allotment would have been withheld beginning October 1, 1999 for FY’00 funds. In the fiscal years following a state’s initial documentation of a fully functional program, a state must document that it is requiring a demonstration of technical, managerial, and financial capacity by every new CWS and every new NTNCWS to avoid withholding of 20% of its DWSRF allotment. 1452(a)(1)(G)(i) and 1420 (a), and page 15 of the February 28, 1997 DWSRF Guidelines.			
The State had until August 6, 2000 to develop and begin implementing a strategy to assist existing PWSs in acquiring and maintaining technical, managerial, and financial capacity, otherwise 10% of the FY ‘01 DWSRF funds allocated to the State would have been withheld. In the fiscal years following a state's initial documentation of a fully functional program, a state must document that it is implementing its strategy to avoid withholding of 20% of its FY’03 DWSRF allotment and in each subsequent year. 1452(a)(1)(G)(i) and 1420 (c), and page 16 of the February 28, 1997 DWSRF Guidelines.			
3.1.0	Capacity Development Authority (<u>New Systems</u>) SDWA Section 1420 Legal authority must be effective by October 1, 1999 to ensure that new systems (CWSs and NTNCWSs) have technical, managerial, and financial capacity. The DWSRF 20% withholding provision began on October 1, 1999 for FY '00 funds. The withholding provision will continue into each successive FY until authority is obtained and is being implemented. The state’s program will be evaluated annually as of October 1. The withholding occurs at the time of the DWSRF award for those FY funds.		
3.1.0.1	Annual Review and Reporting on New System Demonstration of TMF: A state must document that it is requiring a demonstration of technical, managerial, and financial capacity by every new CWS and every new NTNCWS.	Include with a given year's capitalization grant application, in the semi-annual self assessment	New systems are required to complete form EW-100, "Addendum Capacity Development Questionnaire". Upon review of the completed EW-100, a determination is made if the system has adequate capacity, and the Permit to Construct is issued or denied accordingly. Two new systems have applied for a Permit to Construct

	<p>Documentation could consist of summary statistics regarding the number of new CWSs and NTNCWSs and the results of their required capacity demonstrations. Documentation should also address methods used to evaluate and verify program implementation.</p> <p>Each semi-annual progress report should include:</p> <ul style="list-style-type: none"> • Number and list of approved new CWSs and NTNCWSs • Compliance status of new CWSs and NTNCWSs that commenced operation after October 1, 1999 <p>See PWSS Guidance, Appendix D for a sample reporting format.</p>	<p>or in an entirely separate submittal.</p> <p>Semi-annual self assessments</p>	<p>during FY 2004. Neither have completed and returned EW-100. No permit for these two systems has been issued.</p> <p>A Permit to Construct was issued to Deerfield Village in October 2003 based on an application from FY 2003.</p>
3.1.1	<p>Capacity Development Strategy (<u>Existing Systems</u>) 1452(a)(1)(G)(i) and 1420 (c), and page 16 of the February 28, 1997 DWSRF Guidelines. Background Notes: The State had until August 6, 2000 to submit and begin implementing a strategy to assist PWSs in acquiring and maintaining technical, managerial, and financial capacity, otherwise 10% of the FY '01 DWSRF funds allocated to the State will be withheld. In the following fiscal years, a state must document that it is implementing its strategy to avoid withholding of 20% of its DWSRF allotment in FY'03 and subsequent years.</p>		
3.1.1.1	<p>Annual Review and Reporting for <u>existing system</u> implementation:</p> <ul style="list-style-type: none"> • Each year, as a stand-alone submittal; as part of the semi-annual self assessment; or as part of the state's capitalization grant application, the state must provide documentation showing the ongoing implementation of their capacity development strategy. 	<p>Include with a given year's capitalization grant application, in the semi-annual self assessment or in an entirely</p>	<p>Annual Report submitted to EPA in November 2003. The report documented implementation of the Strategy.</p>

	<ul style="list-style-type: none"> Such documentation may consist of a concise narrative description of the major activities being conducted and planned for under the state's capacity development strategy. 	separate submittal.	
3.1.2 Other Annual Review and Ongoing Reporting Requirements:			
3.1.2.1	Submit, and periodically update, a list of CWSs and NTNCWSs that have a history of significant noncompliance (SNC) and, to the extent practicable, the reasons for their noncompliance. Failure to submit the list could result in the withholding of 20% of the state's DWSRF. (This activity repeats every three years) SDWA 1420(b)	Due by July 15, 2006	On-going.
3.1.2.2	The State must submit a report to the Governor on the efficacy of the strategy and progress made toward improving the technical, managerial, and financial capacity of PWSs in the State. The report shall also be made available to the public. (This activity repeats every three years)	Next Report is Due 10/01/2005	On-going.
3.2	Operator Certification Programs		
3.2.1	To avoid a 20% SRF withhold, States must continue to implement Programs that meet the baseline requirements of the Guidelines and provide Annual Program Reports as per EPA Guidance memo dated 10/15/2001.	Reports are due June 30th.	Annual Report was submitted to EPA in November 2003. The report documented implementation of the program.
3.3	Source Water Assessment and Protection <u>Background Notes:</u> <i>Source water assessments are required of primacy States, if the State chooses to adopt alternative monitoring requirements under 1428(b). The State must obligate (but not expend) its grant funds to delineate and/or complete source water</i>		

	<i>assessments within 4 years after the State receives its grant. [1452(k)(1)(C), and pages 22-23 of the DWSRF Guidelines.] In addition, up to 10 percent of the FY 1998 funds can be set aside to administer or provide technical assistance through source water protection programs.</i>		
3.3.0	<p>Implement State Source Water Assessment Program (SWAP) Plan, and report progress and relevant activities underway. Include copies of contract agreements, MOUs, etc. with other agencies and contractors as per DWSRF Grant Condition. Discuss any significant barriers to implementation with EPA as soon as possible.</p> <p>The GPRA Goals are:</p> <p>a) # and % of population and community water systems (or source water areas) that will achieve minimized risk to public health by substantial implementation, as determined by the state, of source water protection actions in a source water strategy.</p> <p>b) # and % of community water systems (or source water areas) that have a protection strategy in place.</p> <p>c) # and % of community water systems (or source water areas) that have implemented some aspect of a protection strategy.</p> <p>Report annually for CWS/ NTNCWS/ TNCWS. SDWA 1453(a)(3) & GPRA</p>	Semi-annual self-assessments, (or other mutually agreed upon dates, such as alternate DWSRF setaside reporting dates)	<p>NOTE: Other data will be provided in End-of-Year report after EPA provides guidance.</p> <p>WVDHHR issued 2 SWAP Contracts for 88 Community groundwater systems, each serving < 250 customers. The assessments and susceptibility reports were completed by the end of December 2003.</p> <p>WVDHHR issued a contract for 3 SWAP symposiums that were held around the state by March 30, 2004. Three additional symposiums are scheduled to be completed before June 30, 2004.</p> <p>WVDHHR continues to complete SWAP studies for PWSS within the state and continues to participate and build SWAP efforts within the state.</p> <p>WVDHHR partners with WVDEP Water Education Training Program to train teachers and students about drinking water issues.</p> <p>USGS completed the groundwater flow modeling project associated with the Ohio River alluvial system by January 2004. The final report is scheduled to be available by June 30, 2004. See Attachment #1 for additional data.</p> <p>GPRA Goal: 140 Systems for 26% serving a population of 198,324.</p>
4.	Recommended Activities (These are activities that do not affect PWSS Primacy or the receipt of Drinking Water State Revolving Loan Funds. However many could be funded under either program.)		
4.0	Report system street address information and the latest sanitary survey information to SDWIS, including sanitary surveys at Federal facilities.	Quarterly to SDWIS	On-going.

	<p>Please also report owner type codes, so that Federal facilities can be identified, and service area category information codes, so that schools, mobile home parks, etc., can be identified. Please submit complete and accurate source information. (Refer to Federal Reporting Data System (FRDS)/SDWIS documentation for the details on this reporting.) Please provide complete treatment process and treatment objective codes so that source waters requiring treatment beyond conventional treatment to address source water quality problems can be identified in 305(b) water quality assessments, and the Index of Watershed Indicators. See SDWIS reporting Guidance</p>		
4.1	Enter informal enforcement actions to SDWIS to present a more complete picture of violation follow-up.	Quarterly to SDWIS	On-going.
4.2	Enter or correct latitude/longitude information to SDWIS for any remaining systems. Enter or correct the information on surface water systems first. Priorities for entering data for the remaining systems are groundwater CWSs next, then groundwater NTNCWSs, followed by TNCWSs. Coordinate, as appropriate, with the EPA data management staff to ensure that all needed data storage capabilities for source water protection efforts are accounted for in the modernized EPA STORage and RETrieval system (STORET), EPA's data management program for ambient water quality. Also coordinate with State Clean Water	Quarterly to SDWIS	SWAP contractors have completed acquiring lat / long data. Currently, Q/C data before entering into SDWIS.

	Act and EPA staff to strengthen State georeferencing capabilities to better track monitoring information for mapping and GIS applications. GIS tools, including the Reach File 3 system that assigns unique location identifiers to the waters of the U.S., will be valuable in source water assessments.		
4.3	Develop and maintain a cross connection control program. §142	Semi-annual self-assessments	The initial 36 hour Cross Connection and Backflow training/inspector/tester course is being maintained. New legislation was passed March 13, 2004 requiring PWS's to create and maintain a cross connection backflow prevention program/policy and a tester certification rules.
4.4	Interact with other State programs, local governments, and other stakeholder groups that affect or are affected by the drinking water program (e.g., wellhead protection programs, watershed protection programs).	Quarterly to SDWIS	Wellhead Protection Program within PWSS Program routinely coordinates with other stakeholders (i.e., Public Service Commission, Division of Environmental Protection) and others to enhance program activities.
4.4.0	Plan for source water protection and source water assessment programs simultaneously. For example, use current information on the hydrology and hydrogeology of different regions of the State to determine the degree of detail appropriate for the source water assessments. These assessments are necessary to support the source water protection programs being considered. Protection programs will likely be necessary in order to provide local flexibility on monitoring relief, ground water disinfection, regulation of Class V underground injection control wells, and filtration.	Semi-annual self-assessments	Ongoing. West Virginia Wellhead Protection Program helps guide local drinking water protection efforts and awareness.

4.4.1	Participate in State implementation of the 305(b) guidelines for drinking water to elevate awareness of drinking water as a designated use within the 305(b) program, increase the percentage of waters assessed for drinking water use support, and enhance the accuracy and value of the assessments. Facilitate a working relationship between the State drinking water and clean water staff to provide the most accurate and representative assessment of source waters, based on available data which the State believes best reflects the quality of the resource. Adopt the Watershed approach. Work with State water quality standard staff to ensure that use designations under the Clean Water Act reflect the location of surface source water areas for drinking water intakes, and wellhead protection areas which may be influenced by surface water (i.e., induced infiltration of surface water into drinking water wells). Be sure upstream dischargers are aware of downstream drinking water intakes. Also, work cooperatively with State ambient monitoring staff, including the 305(b) staff, to ensure that duplication of monitoring efforts in source water assessment projects are not occurring, that existing data are recognized and used, and that any new data that are collected are appropriate. EPA Region III will assist in the use of STORET data as needed.	Semi-annual self-assessments	<p>Staff of the Bureau for Public Health has developed a working relationship between the State's SDWA Program, Water Quality Board and Clean Water Act program to provide the most accurate and representative assessment of source waters, based on available data which the State believes best reflects the quality of the resource.</p> <p>Participates with the USGS and WV Division of Environmental Protection on the ambient groundwater monitoring program.</p>
4.5	Coordinate with national, State, and local agencies to encourage identification and reporting of waterborne disease outbreaks associated	Semi-annual self-assessments	On-going.

	with drinking water.		
4.6	Encourage systems to optimize their treatment plant performance beyond current requirements. (Participation in Partnership for Safe Water and/or Area Wide Optimization Program)		On-going.
4.7	Perform public education responsibilities, such as responding to press inquiries, educating the general public, and conducting outreach.		On-going.
4.8	Obtain Internet access to improve communications with other agencies, and outreach to the public. Develop computer communications with field offices.		Currently have internet access.
4.9	Track the following compliance assistance activities: small system assistance programs, workshops, onsite assistance, guidance on State regulations and other outreach materials, hot lines or other responses to inquiries from individuals, trade shows, and conferences. Note: The Office of Enforcement and Compliance Assistance at Headquarters is interested in State compliance assistance efforts. Please provide whatever information is easily available, or that does not require extensive time and resources to collect. (This type of information should also be included in the State's Annual Compliance Report, due each July 1 for the previous calendar year.)	Semi-annual self-assessments	WV Rural Water Association Workshops, Agency newsletters, and the American Water Works Association provide applicable information. OEHS staff are often presenters at these meetings.
4.10	Water Conservation Guidelines: On August 6, 1998, EPA published a document entitled " <i>Water Conservation Plan Guidelines</i> ." These voluntary		Capacity development assessments encourage systems to control water loss through leak and/or inadequate metering.

	<p>guidelines will encourage conservation by water systems, particularly small systems, thereby extending the life of water treatment infrastructure and reducing costs.</p> <p>The guidelines do not contain any federal requirements; however, after August 6, 1999 states and Indian Tribes may require water systems to submit a water conservation plan consistent with EPA's guidelines as a condition of receiving a loan from a State Drinking Water Loan Fund.</p>		
4.11	Drought Contingency and Water Supply Assistance: Continue to monitor water systems affected by drought conditions to ensure an adequate supply of water. Assist water suppliers with obtaining alternate sources, handling any contamination associated with the drought, development of contingency plans and assisting with outreach efforts on water conservation.	Semi-annual self-assessments	On-going.
4.12	Develop Emergency Preparedness and Response Plans at the State and water system level. Develop training, fact sheets; conduct workshops and perform vulnerability assessments.		On-going.
4.13	STAG and S&T Grants: Report on activities being performed in workplans.	Monthly Status Report. Project Period ends Nov. 2004.	On-going.

5	Additional State Activities funded with PWSS Grant monies: Include here any additional projects funded under the PWSS grant. You may also want to use this area to track equipment purchases, staff hiring, etc. or do so on a separate page.
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